

To Agencies ... IHS, EPA, HUD, BIA Management

**AGENCIES RESOURCE EXPENDITURE on  
PROJECTS TO SUPPORT SDWA 1414 & 1431 EPA ORDER  
TO THE CONFEDERATE TRIBES of WARM SPRINGS**

Agency Management:

As you are aware the Confederate Tribes of Warm Springs (TRIBES) are under an two Safe Drinking Water Act Orders from the U.S. EPA, Region 10 (EPA) to address potable water distribution and treatment deficiencies related to the Dry Creek Surface Water Plant.

**Commented [BA1]:** WS own/ operates other PWSs as well.

The TRIBES are holding four pots of money grant dollars which they would like to use to help address the orders' requirements and some of the including deficiency items, these are:

1. HUD grant monies in the amount of \$437K
2. BIA grant monies in the amount of \$334K
3. IHS/EPA grant monies in the amount of \$141K
4. CTWS internal monies in the amount of \$72K

Total \$983K

The \$141K L71 funds provided by IHS and EPA have been confirmed to still be available, and are fit for this purpose, confirmation attached in Appendix A.

The TRIBES are proposing to spend the monies in the following manner:

1. IHS/EPA, BIA, and HUD funds allocated for water treatment facilities studies; Engineering Report, including filter media evaluation in the sum of \$191K
2. BIA, HUD, and TRIBES funds allocated to historically identified projects in the sum of \$792K.

Total \$983K

It is intended that the monies shall be spent utilizing a Design/Build approach, with work packaged into four discipline specific packs (note: we originally suggested 6 packages but in reviewing the monies available we belief we will get a better response with only 4 packages). The contracting documentation will follow the Engineering Joint Contracting Documentation Committee's (EJCDC) formulation. The breakdown is demonstrated in Table 1.

		Package 1 M & Chemical Plant			Package 2 E & ICA & Process			Package 3 Civil			Package 4 Building			Total
Engineering Study	IHS \$:00			47			47			23.5			23.5	\$ 141
	Filter Evaluation				20	30								\$ 50
	Sub Total 1			47.00			97.00			23.50			23.50	\$ 191
Design Build Projects	Project #	Project Name												
	1	Backwash/Sludge Pond Lining						60						\$ 60
	2	PAC Plant Enclosure												\$ 30
	3	Filter Media Replacement			38			29						\$ 67
	4	Finished Water Pumps			60			25			30			\$ 175
	5	HVAC									42			\$ 65
	6	Intake Screen			48									\$ 48
	7	SCADA						148			49			\$ 197
	8	Raw Water Pumps			60			10			30			\$ 100
	9	WTP WW System						50						\$ 50
Sub Total 2		\$ 60	\$ 198	\$ -	\$ 221	\$ 89	\$ 49	\$ 50	\$ 60	\$ -	\$ 42	\$ -	\$ 23	\$ 792
Sub Total 3		\$ -	\$ -	\$ 258	\$ -	\$ -	\$ 359	\$ -	\$ 110	\$ -	\$ -	\$ -	\$ 65	\$ 792
TOTAL		\$ -	\$ 305	\$ -	\$ -	\$ 456	\$ -	\$ -	\$ 134	\$ -	\$ 89	\$ -	\$ 983	

Table 1: Financial Breakdown of Funds

As part of the EPA Emergency Order, the TRIBES are required to produce an Engineering Study that yields prioritized lists of deficiencies in both the distribution and water treatment and supply systems.

The Engineering Report for the distribution system will comprise of the collection and collation of several completed and ongoing work activities, including:

1. A summary report of the emergency repair to the Shitike Creek crossing
2. A summary report and the O&M manual produced for the PRV/Flow Control Emergency Repair work
3. The executive summary from the IHS/CW report on the permanent Shitike Creek crossing proposal
4. The prioritized list of main repairs identified as output from the IHS/CW leak detection study, and
5. A control document listing staff collected and collated information, diagrams, drawings, and specifications of the distribution system

The Engineering Report for the water treatment facility will be a collection and collation of the engineering evaluations undertaken by the discipline specific project Design/Build teams. The combination of the individual reports shall provide a complete assessment of the WTPs facilities. The specific disciplines for the individual reports shall be:

1. Mechanical & Chemical plant
2. Electrical, ICA, Process equipment
3. Civil infrastructure
4. Building facilities

Each Discipline shall report a prioritized list of deficiencies, prioritized by Highest Risk of Failure as measured by Capacity, Condition, Compliance, and Efficiency, and poorest remaining useful life. These lists shall be used to formulate 1, 2, 5, 10-year OpEx, and CapEx works plans.

The currently identified projects will be undertaken by the discipline specific teams in parallel to the Engineering Study. Where this is considered inappropriate and not a good use of the monies the projects will be delayed awaiting the recommendations of the Engineering Report, and the appropriate

highest priority item will then be addressed by the discipline specific project team constrained to the previous allocated funds.

It must be noted that BIA and HUD monies have been allotted to specific projects as shown in Table 1. Given a conflicting priority from the Engineering Study/Report, it is intended to reallocate the assigned monies to the Highest Risk, Poorest Quality assets.

The TRIBES would appreciate your confirmation that this methodology of expending the agencies funds is acceptable and in line with accepted methodologies. That is the agencies see no conflict of interest in this proposal and they will work with the TRIBES to enable full expenditure of the funds in the most appropriate way.

The TRIBES request that any policies, plans, processes, procedures, practices, or performance measures (6Ps) that the agencies will require for this to happen, that they provide the same for review, consideration, and implementation into the project as soon as practically possible.

Please complete Table 2:

<b>FUND EXPENDITURE METHODOLOGY APPROVAL</b>					
<b>AGENCY</b>	<b>Agency will accept EJCDC forms of Contract (If not please provide alternate)</b>	<b>Agency has NO CONFLICTS with Engineering Study/Report &amp; Design/Build Methodology</b>	<b>Will Enable Methodology to Move monies between Existing and Newly Identified Higher Priority Projects</b>	<b>Proposed Methodology Meets the EPA Order Requirements</b>	<b>Agency has appropriate "6Ps" that enable Methodology to move forward. (List references as appropriate)</b>
HUD					
BIA					
IHS					
EPA					

*Table 2: Agency Agreement Methodology Signoff*

Agency representative to initial each box above to indicate approval and understanding, and under separate cover return this letter along with any appropriate agency support or requested data.

Our schedule for this work is very aggressive given this is a federally funded exercise. Our outline schedule is illustrated in Figure 1. We would appreciate your prompt response to this letter and look for your agreement prior to our next meeting Wednesday November 6<sup>th</sup>, 2019.

2019			2020						
Oct	Nov	Dec	Jan	Feb	March	April	May	June	July
Start	Draft RFP	Review							
			Tender Response						
				Selection					
					Negot. NTP				
						Project Execution			
					Eng. Report: D/B:	Evaluation	Consolidate	Report	
							Implementation		

Figure 1: Preliminary Schedule (10/30/2019)

We appreciate your help and support.

Kind regards

Travis Wells

CTWS Operations General Manager

Cc:

Michele Stracona, CEO  
 Alfred Estimo, Finance Director  
 Libby Chase, Purchasing Manager  
 Bruce Irwin, Development Director  
 Chico Holiday, Operation Superintendent  
 Keith Whisenhunt, Principal PDG  
 Barry Buchanan, Principal B&A

**APPENDIX A:**

**EMAIL OF CONFIRMATION OF IHS/EPA FUNDS AVAILABILITY**

Thu 10/17/2019 12:02 PM

Clark, Johnny [ [HYPERLINK "mailto:Clark.Johnny@epa.gov"](mailto:Clark.Johnny@epa.gov) ]

Re: IHS Project PO-13-L71 – 1A No.: 7595852101-2

LT Hancey,

Thank you for the updates regarding this project. It is the last project remaining for completion on this Interagency Agreement (IA). The project scope remains the same and the project (PO-13-L71) appears to be proceeding accordingly.

According to the financial data that I've reviewed, the funds obligated for this IA and project are sufficient to complete the project by September 9, 2020. Let me know if you have additional questions.

Thank you

Johnny Clark

**From:** Hancey, Derek (IHS/POR) <[HYPERLINK "mailto:Derek.Hancey@ihs.gov"](mailto:Derek.Hancey@ihs.gov)>  
**Sent:** Thursday, October 17, 2019 10:44 AM  
**To:** Clark, Johnny <[HYPERLINK "mailto:Clark.Johnny@epa.gov"](mailto:Clark.Johnny@epa.gov)>  
**Cc:** Baron, Adam <[HYPERLINK "mailto:Baron.Adam@epa.gov"](mailto:Baron.Adam@epa.gov)>; Haugland, Craig J. (IHS/POR) <[HYPERLINK "mailto:Craig.Haugland@ihs.gov"](mailto:Craig.Haugland@ihs.gov)>; Chadwick, Benjamin R (IHS/POR) <[HYPERLINK "mailto:Benjamin.Chadwick@ihs.gov"](mailto:Benjamin.Chadwick@ihs.gov)>  
**Subject:** IHS Project PO-13-L71 - IA No. 7595852101-2

Hi Mr. Clark,

I have been coordinating with Warm Springs to implement IHS project L71 over this coming fall and winter. The WTP structural, mechanical & electrical systems, site, and unit process assessments will support development of the water system engineering assessment mandated by the emergency order, in addition to scoping and prioritizing high-priority repairs with available BIA and HUD Imminent Threat funds. The Tribe's contracted project manager is preparing RFP solicitation packages for six separate assessments which will be provided to IHS and EPA for review prior to being sent out for proposals.

Please let me know if you have any questions or if you would like to be included in future coordination meetings.

Sincerely,

LT Derek Hancey, P.E.  
Environmental Engineer Consultant  
Division of Sanitation Facilities Construction  
Portland Area Indian Health Service  
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Our Mission...to raise the physical, mental, social and spiritual health of American Indians and Alaska Natives to the highest level.